



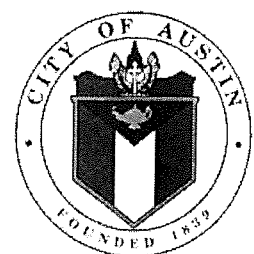




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MEDINA

-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS
CASE#: C15-2016-0012
206 SAN MARCOS STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 208'

CASE# 45-206-0012
ROW# 11460783
TAX# 02-0405-0112

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2

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 206 San Marcos Street, Austin, TX 78702

LEGAL DESCRIPTION: Harrington's Subdivision of Lot 17 Division 0 Vol. X pg. 636

I, David Cancialosi, on behalf of myself, affirm that on December 15, 2015, hereby apply

for a hearing before the Board of Adjustment for consideration to:

SF-3-NP (East Cesar Chavez)
(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

X ERECT ATTACH COMPLETE REMODEL MAINTAIN

To erect a rear master suite addition on existing SF3-zoned lot proposing a total of 73% impervious cover on a 2,420 sq. ft. legal tract. And allow a 1.3 ft. side setback and a 1.8 ft. rear setback.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS:

I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because: the existing residence is recorded in TCAD as a 1906 structure with roughly 860 sq. ft. HVAC. TCAD also references a 180 sq. ft. detached structure dated 1950. The improvements plus an approximately 250 sq. ft. driveway exceeded the allowable 45% maximum IC.

The owner attached the 1950 detached structure to create a master suite addition. The original 1,040 sq. ft. residential footprint is now roughly 200 sq. ft. larger, which equals 73% impervious cover.

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The roughly 2,420 sq. ft. lot allows roughly 1,080 sq. ft. IC per SF3-zoning performance standards. The regulations do not allow reasonable development, as the existing legal tract (LSD DA-2013-0288, attached) received utility service in 1931 and has a deed recorded in 1973.

The owner remodeled an original detached structure into a master addition. This was attached to the primary structure and has a 1.3 ft. side and 1.8 ft. rear setback.

HARDSHIP:

2. The hardship for which the variance is requested is unique to the property in that: the roughly 2,420 sq. ft. lot is approximately 80 sq. ft. short of qualifying for the 65% impervious cover allowance per the design tool adopted by the neighborhood plan.

The design tool is intended to facilitate development on small inner city lots in order to allow reasonable development of single-family residential development. The lot's inability to meet the letter of the law while meeting the intent of the design tool is a hardship because the lot is being restricted from highest and best use via strict application of the written regulations.

Both the original residence and the detached accessory structure were put in place prior to the design tool adopted by the neighborhood plan and the neighborhood plan does not account for lots of smaller than 2,500 sq. ft., which should be allowed to develop or expand as necessary to accommodate growing families in the urban core.

The small lot size allows for extremely limited development. The owner desires a one story addition in order to maintain the original aesthetics.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because the proposed master addition will be in keeping with its original square footage as well as the size of surrounding homes.

The house is surrounded by much larger two or three story homes on some portions of surrounding blocks. The homeowner's intent is to keep the existing residence as-is and maintain the existing attached master suite addition with no further development.

The property owner is open to Rain Barrels or other water catchment systems recommended by the Board.

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PARKING: (Additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
N/A
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
N/A
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
N/A
4. The variance will run with the use or uses to which it pertains and shall not run with the site because
N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 105 W Riverside Drive #225

City, State & Zip Austin, TX 78704

Printed David Cancialosi Phone 512-593-5361 Date December 15, 2015

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Darius Fisher Mail Address 206 San Marcos St

City, State & Zip Austin TX 78702

Printed Darius Fisher Phone 914-413-1400 Date 12/16/2015

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5/1

PARKING: (Additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 105 W Riverside Drive #225

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OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____



**City of Austin
Planning and Development Review
Land Status Determination
1995 Rule Platting Exception**

August 07, 2013

File Number: C8I-2013-0288

Address: 206 SAN MARCOS ST

Tax Parcel I.D. #0204050712

Tax Map Date: 07/01/2013

The Planning & Development Review Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being a **portion of lots 7 & 8, Block 3, in the subdivision of outlot No 17, Division O** in the current deed, recorded on **Jul 25, 2013**, in **Document #2013138922**, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Jul 24, 1973**, in **Volume 4686**, Page **2010**, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water** service on **Feb 17, 1931**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Michelle Casillas

**Michelle Casillas, Representative of the Director
Planning and Development Review Department**

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(81-2013-0288

20405

Revision Date:
7/1/2013

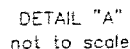
0 120 Feet

NAD 1983 StatePlane
Texas Central FIPS 4203 Feet
Projection: Lambert Conformal Conic


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Travis Central Appraisal District
8314 Cross Park Drive
Austin, Texas 78754
Internet Address: www.traviscad.org
Main Telephone Number (512) 436-5317
Appraisal Information (512) 434-0319
TDD (512) 436-1328

J14631D

$$\frac{m_4}{8}$$


DETAIL "B"
not to scale



SCALE
1" = 30'

1/2" FOUND IRON ROD FIR
1/2" SET IRON ROD SIR
1/2" FOUND IRON PIPE FIP
UTILITY LINE ——— P ——— P ———
WOOD FENCE — [] — [] — [] —
METAL FENCE — x — x — x — x — x —

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Condition II Survey.

Dated this the 17TH day of NOVEMBER, 2015.

Thomas P. Dixon R.P.L.S. 4324

P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602

